FISCAL NOTE
PRIVATE COST

I. Department Title: 7 – Department of Transportation
Division Title: 60 – Traffic and Highway Safety Division
Chapter Title: 2 – Breath Alcohol Ignition Interlock Device Certification and Operational Requirements

Rule Number and Title:	7 CSR 60-2.030 – Standards and Specifications
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
2	Ignition Interlock Manufacturers	Unknown fiscal impact
2	Ignition Interlock Distributors	Unknown fiscal impact
75	Ignition Interlock Installers	Unknown fiscal impact

III. WORKSHEET

There are currently four breath alcohol ignition interlock manufacturers with six devices that are on the list of approved devices. All of the ignition interlock devices are similar in that they provide a physical barrier to prevent the operation of a motor vehicle by drivers who have a breath alcohol concentration above a specified percent. A breath sample must be provided each time the driver attempts to start their vehicle and at variable times during operation of the vehicle Each of the manufacturers differ a little in their business models in terms of providing service to their clients (DWI offenders) and how the information is transmitted from their local installation sites and service centers. In addition, features such as photo identification vary in terms of what is captured in the photo and the quality of the photo.

The proposed amendment will require "real-time" reporting. This will require near real-time transmission of ignition interlock data between the authorized service provider's server and the devices relay unit while the device is in use and shall be available for viewing by state officials in Missouri starting March 1, 2018. Many of the manufacturers already provide this service. However, a few of the devices currently utilized in the state only provide the ignition interlock data when the device is downloaded every 30 days.

This provides some challenges in terms of responding to client complaints and also for courts and probation and parole officers to monitor offenders. By requiring near real-time transmission of data, state and local officials can respond more quickly to any complaints and/or violations that are reported.

In addition, the proposed amendment defines requirements for photo identification technology when required by statute or court order. Photo identification technology is not only utilized to clearly identify who is providing the breath sample but also to place the person behind the wheel driving the vehicle. Photo identification allows state and local officials to take further action on a DWI offender who continues to drink and drive while on the ignition interlock device. The technology allows for proof of who provided the breath test and that they were driving the vehicle.

The amendment will also require that the ignition interlock device have a data storage system with sufficient internal memory to allow continuous recording and maintaining of all data for a minimum of thirty-seven days. This will prevent the clients from being called in early because the memory on their device is full and needs to be downloaded more frequently. The clients are charged a fee each time they come in for a download and some were being required to come in more frequently than required by rule.

The fiscal impact to ignition interlock manufacturers, distributors, and installers is unknown. It is impossible to predict if they will be able to meet the requirements and the number of new installations that this proposed amendment will impact. It is also difficult to determine the number of devices that will need to be switched to another device after the rule goes into effect. Many of the manufacturers, distributors and installation sites may be able to provide the services required under the rule.

Total Estimated Costs for FY'17 and Subsequent Years Unknown Fiscal Impact

IV. ASSUMPTIONS

1. Research used to support information about the ignition interlock detection methods and program requirements: *Best Practices for Alcohol Interlock Programs*, Traffic Injury Research Foundation, April 2001; and *Evaluation of State Ignition Interlock Programs: Interlock Use Analyses From 28 States, 2006-2011*, National Highway Traffic Safety Administration, May 2015.
2. Any other costs not identified in this fiscal note are unforeseeable.